

false and fraudulent, as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 12, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9218. Adulteration of Crubro tomato ketchup. U. S. \* \* \* v. 49 Cases of Crubro Tomato Ketchup. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13123. I. S. No. 8288-r. S. No. C-2064.)

On August 13, 1920, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 49 cases of Crubro tomato ketchup, remaining unsold in the original unbroken packages at Battle Creek, Mich., alleging that the article had been shipped by Cruikshank Bros. Co., Pittsburgh, Pa., on October 23, 1918, and transported from the State of Pennsylvania into the State of Michigan, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Crubro Tomato Ketchup \* \* \* Absolutely Pure Food Products Guaranteed By Cruikshank Bros. Co. To Meet All Requirements Of All Federal And State Pure Food Laws. \* \* \*."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance, to wit, decomposed and rotten tomatoes.

On January 26, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9219. Misbranding of Madame Dean Female Pills. U. S. \* \* \* v. 25 Packages of Madame Dean Female Pills. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13310. I. S. Nos. 3862-t, 3863-t. S. No. C-2379.)

On August 24, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 packages of Madame Dean Female Pills, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., on or about August 18, 1919, and transported from the State of Pennsylvania into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. A portion of the article was labeled in part: (Box) "Madame Dean Female Pills (Single)." The remainder of the article was labeled in part: (Box) "Madame Dean Female Pills (Special Strength)." The entire consignment was further labeled in part: (Box) "Female Pills \* \* \* give relief in Female Disorders of the menstrual functions. \* \* \* for Painful, irregular and Scanty Menstruation;" (booklet) "\* \* \* irregular, prolonged, or suppressed menstruation. \* \* \* Female Pills afford relief for these ailments. \* \* \* a remedy intended solely for the relief of Amenorrhoea, Dysmenorrhoea, scanty and irregular menstruation, and other derangements of the reproductive system, \* \* \* especially valuable in the functional changes \* \* \* of the menopause or change of life. \* \* \* Act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstrea-

tion, and assist in re-establishing or restoring, the menstrual or monthly periods. \* \* \* strengthen and build up the uterine function;" (circular) " \* \* \* a great relief against those general complaints the Female Sex is subject to; they help increase the vital quality of the blood; assist to bring nature into its proper channel \* \* \* for irregular, painful, scanty or suppressed menstruations, \* \* \* should be taken \* \* \* to assist nature with \* \* \* disorders \* \* \* during the change of life period. \* \* \* great relief from Pains or Headache; \* \* \* for suppressed Menstruation, \* \* \* continue their use until relieved. \* \* \* take \* \* \* until the menstrual flow commences again."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the single-strength pills consisted essentially of quinine, aloes, ferrous sulphate, hydrastis, ginger, and cornstarch, and that the special-strength pills consisted essentially of quinine, aloes, ferrous sulphate, senecio flowers and herb, ginger, and cornstarch.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements, regarding its curative and therapeutic effects, were false and fraudulent.

On February 14, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9220. Misbranding of Aspironal. U. S. \* \* \* v. 1½ Gross Bottles of \* \* \* Aspironal. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10075. I. S. No. 16173-r. S. No. E-1313.)**

On or about April 23, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1½ gross bottles of Aspironal, at Tampa, Fla., consigned by the Aspironal Laboratories, Atlanta, Ga., alleging that the article had been shipped from Atlanta, Ga., on or about February 18, 1919, and transported from the State of Georgia into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottles) "Aspironal For Colds Coughs For LaGrippe Contains 10% Alcohol \* \* \* For The Treatment Of Colds, Coughs due to Colds, LaGrippe, Headaches Neuralgia and Rheumatism \* \* \* Prepared Only By Aspironal Laboratories, Atlanta, Georgia;" (circular) "Aspironal The Liquid Cold Remedy \* \* \* for the treatment of Colds, Coughs due to Colds, La Grippe, Headaches, Neuralgia, Rheumatism. \* \* \* For Influenza \* \* \* to prevent Influenza."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a liquid composed essentially of sugar, alcohol, and water, and small amounts of sodium salicylate, camphor, menthol, cascara, and mydriatic alkaloids.

Misbranding of the article was alleged in substance in the libel for the reason that the bottle label and the circular, inclosed within the wrapper containing the bottle, contained the above-quoted statements, regarding the curative and therapeutic effect of said article, which were false, fraudulent, and misleading in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed. Misbranding was alleged for the further reason that the bottles failed to bear a statement of the labels of the quantity or percentage of alcohol contained therein.